Remarks/Arguments

Claims 1-13 remain in this application. Claims 14 - 22 have been canceled.

As the Examiner indicated in the Office Action of March 7, 2005, there was a duplicate claim 4 and that the second instance of claim 4 had been renumbered claim 22. Applicant thanks the Examiner for pointing out the obvious error and has now canceled claim 22 to remove any further confusion.

Claim 7 was indicated as being allowable if rewritten in independent form including all its limitations. It has been so amended.

Claim 1 has been rejected under 35 USC 103(a) as being unpatentable over Choe (US 6,009,093) in view of Morse (US 6,628,660). Claim 1 has been amended to recite the separate, parallel processing of the control and data planes in the present invention in order to achieve the performance needed for the present invention. In addition, it has been amended to recite that the output of the control plane for one layer is the input of the control plane for another, associated layer, and the output of the data plane for one layer is the input for the data plane of another, associated layer.

It is submitted that claim 1 as amended is patentable over Choe in view of Morse. First, it is submitted that the idea of using the state machine of Morse to do protocol processing as in Choe leaves a substantial knowledge gap. Morse is processing TDM channels, which are presented in a specific way and with particular processing demands, different from those of a protocol stack. If it were obvious to adapt the state machine of Morse to do protocol processing, we do not know how it would be adapted to accomplish the result. There is nothing in the references suggesting how to get the protocol stack data required to be processed and provide it to the Morse device in a way that will perform the protocol processing as it must be done, including moving from layer to layer in the protocol processing. Nor is there a suggestion of how to meet the performance requirements of the protocol processing.

135776
Page 7

Serial No.: 09/853,387
Examiner: Eron J. Sorrell

In addition, it is submitted that there is nothing in Morse or the other references to suggest the effective separate, parallel control and data plane processing of the present invention. And since there is no consideration in the references of using the Morse device to do stack processing, there is no hint of providing the control output of one layer to the control input of another and providing the data output of one layer to the data input of another. Accordingly, it is believed the invention as described by amended claim 1 is not obvious in view of the combined references.
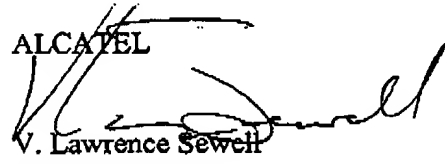
Claims 2-6 and 8-13 are submitted to be patentable as dependent on claim 1, considered patentable for the reasons given.

New claim 23 is similar to claim 7 as amended, and is believed allowable as is claim 7, and additionally for reasons given in connection with claim 1.

It is believed that the foregoing amendment places the Application in condition for allowance. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

Respectfully submitted,

ALCATEL

V. Lawrence Sewell
Reg. No. 22,753

Date: 6/7/05

Alcatel
Intellectual Property Department
3400 W. Plano Parkway, M/S LEGL2
Plano, TX 75075
Phone: (972) 519-3735
Fax: (972) 477-9328

135776
Page 8